

Open Lands Board

Agenda – Meeting #5

June 21, 2007

7:00 p.m. to 9:30 p.m. at the County Commissioners Meeting Room

I. Meeting Called to Order – Dan Walker, Chair, at 7:05 PM

A. Roll Call

Board Attendees:

Phil Connelly
Dan Dunagan
Jim Ellingson
Gary Leese
Alan Maki

Kent Myers
Mike Pflieger
Steve Powell
Craig Siphers
Tim Tackes

John Vore
Dan Walker –
Chair
John Ormiston

Planning Staff:

Vanessa Perry
Kimberli Imig
Karen Hughes

B. Review and approval of Minutes – May 17, 2007 Meeting

- Tim Tackes moved to approve the minutes from May, 17, 2007 Open Lands Board meeting. Mike Pflieger seconded. The minutes stand approved.

C. Amendments to Agenda

- Dan Walker stated that tonight's main focus is the panel discussion. If another meeting needs to be called to get to all agenda items then we will do so.

D. Public comment – Items not on the agenda

- There was no public comment.

II. Panel Discussion- Land trusts and the conservation easement process

Steve Powell - Bitterroot Land Trust

- Greatest success: This process. We are so happy to be a part of this up and coming issue here in the Valley. It is a very exciting time.
- Greatest challenge: Cost.
- Thoughts on the future: This has to be joined and greeted by the county. There has to be a way for the owner to realize the importance of this. It will be a whole lot easier for the public to participate and contribute if they are educated and understand the importance. Also, we need to work together as a community to find out what is important to save and why and have an agreement on that.
- Private/public partnerships: It is a lot easier for the public to contribute if they understand the concept.
- How much money do you have set aside in a stewardship account:
 - * Nothing
 - * Have never had to defend an easement in court. We make visits every year.

- Do you have a problem with a processing/application fee: No problem paying the fee.
- How many projects do you currently have in the works in this area:
We have several things going on in this area. Legacy agricultural projects that will probably be present before the end of the year.

Kelly Ramirez-Trust for Public Lands, Rocky Mountain Project

Associate

- Biggest challenge – MONEY...land values keep going up so quickly that we can't keep up.
- Partner – Leverage is EVERYTHING!
- 3,4,5 donors – Hard to get them to engage. They are more likely to engage in landscape after.
- Stewardship account – \$0 we depend on our partners.
- No easement litigation.
- Currently no projects in the valley. She wants to partner up with Land Trusts here in the valley.

Allen Bjergo - Montana Land Reliance

- Never had to defend conservation easement in court.
- No projects here, they mainly concentrate on land in Eastern Montana.
- Leveraging for MLR is ALL private, no government.

Mike Mueller - Rocky Mountain Elk Foundation

- Trying to balance habitat with people.
- The Elk Foundation protects the land and then they continue to stay involved with the landowners. They continue to raise funds and do projects with and for the landowners.
- The biggest success is when we continue to put money in the land. Everyone is happy, us and the landowners.
- Biggest challenges: being in the game forever, continuing to find creative ways to keep lands protected, continue to keep incentives for taxes, and the educational component and outreach to let people know about this tool.
- Never had a violation in court.
- Have a lot of projects in the works with donated easements.
- In our stewardship we have \$1 million at ALL times.
- Having to pay an application fee should not be a problem at all, it is totally understandable.

Wendy Ninteman - Five Valley's Land Trust, Executive Director

- Primary tool - conservation easements – most of our easements have been and continue to be donated.
- Greatest success – we have never been in court
Not one land owner has ever said that they regret having done this.
Writing easements – writing them strong enough to last forever but flexible enough to still work.
- Future challenge – it is critical that with all this potential growth that we are ready for all that is coming in the future.
- We monitor everything annually. We see ourselves as a resource.
- The fee – keep in mind the affect it will have on the landowner.
- Projects – we do have some in the works here in the valley.

Panel left at 8:45 pm and the meeting reconvened at 9:00 pm.

III. Old Business

A. Technical & Conservation Subcommittee update

- Criteria documents are in legal review.

B. Education and Communication Subcommittee update

- No update.

IV. New Business

A. Discussion- Board scoring and review of case studies

- Discussion needs plenty of time. Case study discussion was tabled until the next meeting.

B. Tentative Discussion- Long term Open Lands planning, general goals, future timelines

- There will be a future detailed discussion. Open Lands issues could fit into Zoning, subdivision regulation modernization or OL long term planning.

C. Tentative Discussion- Roles and responsibilities through the application process

- Will come out in the application process and long term planning discussions.

D. Debriefing

- Tonight was very beneficial – Thank you to all who helped.
- Vanessa will ask legal counsel regarding summary version of app process. Also, about reimbursing fees as a transaction cost from bond money.

Application fee was posed – we don't want this to be a barrier in this process. Are there any other resources we can use?

E. Tasks assigned to subcommittees

- Tech and Consultation committee will create a summary version of the application process for different projects.

V. Future meeting dates, proposed agenda items, and guest speakers

Future meeting dates and proposed items

- *July 19th 7-9pm
- Next meeting we will concentrate on criterion, scoring and reviewing the case study.

VI. Adjourn

- John Ormiston – Move to adjourn meeting
- John Vore – 2nd it
- Meeting adjourned at 9:35 pm